

REMARKS

Claims 1-17 and 66-80 are all the claims pending in the application.

Claims 18-65 have been canceled without prejudice or disclaimer.

Applicants thank the Examiner for indicating that claims 11-17 and 66-80 would be allowable if they were amended to overcome a rejection under 35 U.S.C. § 112, second paragraph. Applicants have amended claims 11 and 66 to overcome the rejections. Applicants have also amended claim 1 in a similar manner to overcome the §112 rejection of claims 1-10.

PRIOR ART REJECTIONS

The Examiner has rejected claims 1, 2, 4-7, 9 and 10 under 35 U.S.C. § 102(e) as being anticipated by Robbins et al. (U.S. Patent Publication No. 2002/0021689). Applicants traverse these rejections because Robbins et al. fails to disclose or suggest all of the claim limitations.

The Examiner argues that Robbins et al. discloses a plurality of subnetworks (LANs shown on figure 14); an air access point (APs shown on figure 14); a router connected to each of the subnetworks (mobility router MR shown on figure 14); and a gateway router connected to the plurality of subnetworks (WAN/IF router shown on figure 14). Regarding the other limitations, the Examiner is relying on inherency. For example, the Examiner asserts that: (1) the LANs would inherently comprise a network switch; and (2) the access points would comprise an air interface, a media access controller (or access control module) and a router coupled to a network switch.

However, the fact that a certain element *may* be present in the prior art is not sufficient to

establish the inherency of that element. To establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is *necessarily* present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. In order to support an inherency argument, the Examiner must provide objective or cogent technical reasoning to support his conclusion. MPEP 2112. Applicants respectfully submit that the Examiner has failed to meet this burden. Therefore, the Examiner is requested to withdraw the rejections based on an allegedly inherent disclosure in Robbins et al.

Regarding the dependent claims 2, 4-7, 9 and 10, they should be allowable at least based on their dependence from claim 1 for the reasons described above.

In addition, regarding claims 6, 7 and 9, the Examiner asserts that because Robbins et al. mentions authentication and security in paragraph 0029, Robbins et al. anticipates these claims. However, while paragraph 0029 mentions authentication and security at a very high level, it fails to disclose the specific claimed limitations related to authentication and security such as mobile subscriber keys.


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO.: 10/058,379

ATTY DOCKET NO.: A8046

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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